

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FREDERIC C. PRADO,

Plaintiff,

V.

CITY OF LAS VEGAS CODE ENFORCEMENT,

Defendant.

Case No. 2:18-cv-02293-APG-NJK

ORDER

this case on December 3, 2018. Docket No. 1. Plaintiff has not, however, submitted the required filing fee or requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*. In order to proceed with his case, Plaintiff must either pay the filing fee or submit the affidavit required by § 1915(a) showing an inability to prepay fees and costs or give security for them.

In addition, a properly pled complaint must provide “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed.R.Civ.P. 8(a)(2); *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Although Rule 8 does not require detailed factual allegations, it demands “more than labels and conclusions” or a “formulaic recitation of the elements of a cause of action.” *Ashcroft v. Iqbal*, 129 S.Ct. 1937, 1949 (2009) (citing *Papasan v. Allain*, 478 U.S. 265, 286 (1986)). The court must accept as true all well-pled factual allegations contained in the complaint, but the same requirement does not apply to legal conclusions. *Iqbal*, 129 S.Ct. at 1950. Mere recitals of the elements of a cause of action, supported only by conclusory allegations, do not suffice. *Id.* at 1949. Secondly, where the claims in the complaint have not crossed the line from plausible to conceivable, the complaint should be dismissed. *Twombly*, 550 U.S. at 570.

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1 Accordingly,

2 IT IS ORDERED:

3 1. Plaintiff must either make the necessary arrangements to pay the filing fee,
4 accompanied by a copy of this order, or file an Application to Proceed *In Forma Pauperis*, no later
5 than **January 4, 2019**.

6 2. The Clerk of the Court shall send Plaintiff a blank application form.

7 3. Plaintiff will have until **January 4, 2019**, to file a complaint that complies with
8 Rule 8 and the relevant caselaw. Failure to comply with this Order will result in the recommended
9 dismissal of this case, without prejudice.

10 DATED: December 4, 2018.



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12 NANCY J. KORPE
13 UNITED STATES MAGISTRATE JUDGE